

The Honorable Tana Lin

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AESTHETIC EYE ASSOCIATES, P.S.,

Plaintiff,

v.

ALDERWOOD SURGICAL CENTER, LLC;
NORTHWEST NASAL SINUS CENTER,
P.S.; and JAVAD A. SAJAN, M.D.,

Defendants.

No. 2:22-cv-00773-TL

**STIPULATED MOTION AND
~~PROPOSED~~ ORDER
REGARDING MEDIATION
STAY**

Note on Motion Calendar:
June 12, 2023

I. INTRODUCTION

Plaintiff Aesthetic Eye Associates, P.S. (“Plaintiff”) and Defendants Alderwood Surgical Center, LLC, Northwest Nasal Sinus Center, P.S., and Javad A. Sajan, M.D. (“Defendants”) (Plaintiff and Defendants collectively, “the Parties”), intend promptly to mediate this dispute. To conserve the Parties’ resources and to promote judicial economy, the Parties propose this matter be stayed for a short period of time on the terms described below. The Parties jointly submit this Stipulated Motion and [Proposed] Order Regarding Mediation Stay for the Court’s consideration and approval.

II. STIPULATION

WHEREAS, on May 31, 2023, this Court granted Plaintiff's Motion for Leave to File First Amended Complaint. *See* Order on Motion for Leave to File First Amended Complaint (the "Amendment Order") (Dkt. No. 46);

WHEREAS, on May 31, 2023, Plaintiff filed its First Amended Complaint. *See* Plaintiff's First Amended Complaint for Damages, Declaratory, Injunctive and Other Relief (Dkt. No. 47);

WHEREAS, the undersigned counsel for Defendants is authorized to accept service of the First Amended Complaint and summons on behalf of newly-added defendant Dr. Sajan;

WHEREAS, in the Amendment Order the Court directed the Parties to file an updated joint status report with a revised case schedule within fourteen (14) days of the date of that Order, *i.e.*, by June 14, 2023. *See* Amendment Order at 12; and

WHEREAS, the Parties intend to promptly mediate this dispute and wish to conserve their resources and promote judicial economy by staying other activity in this litigation pending the anticipated mediation.

NOW THEREFORE, the Parties agree and stipulate as follows:

1. This matter shall be STAYED pending the earlier of (a) 90 days elapsing from the date the Court enters this Stipulation and Proposed Order, or (b) the completion of mediation;

2. All pending case deadlines shall be STRICKEN;

3. Should the mediation fail, within ten (10) days of the date of the mediation, the Parties shall submit an updated joint status report with a revised case schedule;

4. Should the mediation succeed or the litigation otherwise settle, the Parties shall promptly notify this Court's Courtroom Deputy as previously ordered. *See* Order Setting Jury Trial Date and Related Dates (Dkt. No. 33) at 4; and

5. This relief is without prejudice to any Party seeking to lift the stay prior to its expiration by motion noted in accordance with LCR 7(d)(2).

DATED: June 12, 2023.

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*Attorneys for Defendants Alderwood
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Center, P.S., and Javad A. Sajan, M.D.*

~~PROPOSED~~ ORDER

IT IS SO ORDERED.

DATED: June 12th, 2023



Tana Lin
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused true and correct copies of the foregoing document to be served upon the following, at the addresses stated below, via the method of service indicated.

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*Attorneys for Plaintiff/Counter-Defendant Aesthetic Eye
Associates, P.S.*

Dated this 12th day of June, 2023.

/s/ Kaila Greenberg
Kaila Greenberg
Legal Assistant